

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, MARCH 4, 1987
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Pinkerton, Snider, and Olson (Mayor Pro Tempore)

Absent: Council Members - Reid (Mayor)

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Assistant City Manager Glenn.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Pro Tempore Olson.

PRESENTATIONS

PROCLAMATIONS Mayor Pro Tempore Olson presented the following proclamations:

CC-37 a) "National Child Abuse Prevention Month"

b) "American Association of University Women Week"

Mayor Pro Tempore Olson presented a proclamation to Mr. and Mrs. Richard Western for their submittal of "Westgate Park" as the name of E Basin located at the south boundaries of Lodi Park West Subdivision between Applewood Drive and Evergreen Drive.

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Hinchman, Snider second, approved the following actions hereinafter set forth and approved the removal from the agenda of Consent Calendar item e-1-F - "Award Contract for Well Drilling, Well 10R, east side of Central California traction Line at Lime Street off of Guild Avenue."

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$1,473,375.19.

MINUTES The Minutes of the Council Meetings of February 4, 1987 and February 18, 1987 were approved as written.

SPECS FOR PURCHASE OF WATTHOUR METERS APPROVED Council approved the specifications for the purchase of 672 watthour meters to be used to meter electric energy usage at various developments throughout the city, to maintain an inventory for other needs as they develop, and authorized the advertising for bids thereon.

CC-12.1(b)

PLANS AND SPECIFICATIONS FOR FAIRMONT AVENUE WATERMAIN APPROVED Council approved the plans and specifications for "Fairmont Avenue Watermain (area of Tokay Street and Sylvia Drive)" and authorized the advertising for bids thereon. This project consists of a master plan watermain and fire

CC-12.1(c)

Continued March 4, 1987

hydrant that will be installed prior to overlaying Fairmont Street.

AWARD - CONTRACT
FOR SOFTBALL
COMPLEX RESTROOMS
AND ARMORY PARK
RESTROOMS

RES. NO. 87-28 Council received the following bids which had been received
for the "Softball Complex Restrooms and Armory Park
CC-12(c) Restrooms Project":

<u>BIDDER</u>	<u>BID</u>
Diede Construction	\$139,988
IPS Piping	\$144,312
Dannon Construction	\$153,220
Conco West	\$157,200
Neth Construction	\$157,407
Ted Molfino	\$159,516

Council was apprised that this project consists of furnishing and installing prefabricated metal buildings to be used as restrooms at both the Softball Complex and Armory Park. The Armory Park building also includes a concession stand. The existing wood structures are to be demolished.

On recommendation of the City Manager, Council adopted Resolution No. 87-28 awarding the contract for the above project to Diede Construction in the amount of \$139,988.00 and appropriated an additional \$46,000.00 from the Community Development Block Grant fund to complete the project.

ITEM REMOVED
FROM THE AGENDA

By motion action, Council removed Agenda item e-1-F - "Award Contract for Well Drilling, Well 10R, East Side of Central California Traction Line at Lime Street off of Guild Avenue" from the agenda.

SALE OF SURPLUS
EQUIPMENT - PUMPS,
MOTORS, AND
GENERATORS
APPROVED

CC-20
CC-47

A list of equipment consisting of pumps, motors, generators and miscellaneous equipment that has been removed from service and are of no future use to the City was presented to Council for its perusal. The approximate surplus value of the subject equipment is \$13,000. Council approved the sale of this surplus equipment.

FINAL MAP AND
SUBDIVISION AGREE-
MENT FOR NOMA RANCH
NO. 2 APPROVED

CC-46

Council approved the Final Map and Subdivision Agreement for Noma Ranch No. 2 located at the northeast corner of Almond Drive and Coventry Way and directed the City Manager and City Clerk to execute the subject documents on behalf of the City.

Bennett and Compton, Inc., the developer of this subdivision has furnished the City with the improvement plans, the necessary agreements, guarantees, insurance certificates, and fees for the proposed subdivision. The subdivision is located at the northeast corner of Almond Drive and Coventry Way and contains a total of 13 duplex lots.

Continued March 4, 1987

INSTALLATION OF
"YIELD" SIGN
APPROVED FOR
RAVENWOOD WAY AT
COVENTRY WAY

RES.NO. 87-30

Further, Council adopted Resolution No. 87-30 approving the installation of a "Yield" sign on Ravenwood Way at Coventry Way.

CC-48(i)

CONVERSION OF
"YIELD" SIGNS TO
"STOP" SIGNS ON
ROSE STREET AT
WALNUT STREET,
LINCOLN AVENUE AT
DAISY AVENUE,
CHESTNUT STREET
AT LEE AVENUE, AND
FAIRMONT AVENUE AT
OAK STREET

RES. NO. 87-31

CC-48(h)

CC-48(i)

Council adopted Resolution No. 87-31 approving the conversion of "Yield" signs to "Stop" signs on Rose Street at Walnut Street, Lincoln Avenue at Daisy Avenue, Chestnut Street at Lee Avenue, and Fairmont Avenue at Oak Street.

Council was apprised that based on the accident records and traffic volumes, staff recommended converting the "Yield" signs to "Stop" signs at these four intersections. The volumes indicate that four-way stop signs would not be justified, and the existing right-of-way control is on the appropriate street.

PUBLIC HEARINGS

Notice thereof having been published and posted according to law, affidavits of which publications and postings are on file in the office of the City Clerk, Mayor Pro Tempore Olson called for the Public Hearing to consider approval of the Maggio Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Fire District (northwest corner of Stockton Street and Harney Lane).

MAGGIO REORGANIZATION

RES. NO. 87-32

CC-8(a)

Council was apprised that the City has received Resolution No. 694 before the Local Agency Formation Commission of San Joaquin County - Resolution Approving the Maggio Reorganization (LAFC 18-86) Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District.

Because the subject parcel is located adjacent to the Southern Pacific Transportation right-of-way, it was determined by LAFCO that it would be more timely to authorize the City Council to initiate proceedings for uninhabited reorganization in accordance with Section 57000 et seq. of the Government Code which provides that, within 35 days following adoption of the commission's resolution making determinations, the clerk of the conducting authority shall set the proposal for hearing and give notice of that hearing by mail, publication, and posting. Council was reminded that, at the November 4, 1986 General Election, the electorate amended the Land Use Element of the General Plan by adding Maggio Industrial Park, a 37.6 acre industrial project located at the northwest corner of South Stockton Street and Harney Lane.

Continued March 4, 1987

On October 2, 1985, Council adopted Ordinance No. 1362 rezoning Maggio Industrial Park to M-2, Heavy Industrial.

Community Development Director Schroeder presented diagrams of the subject area and responded to questions regarding the matter as were posed by the Council.

There being no persons wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Council Member Snider, Hinchman second, Council adopted Resolution No. 87-32 - A Resolution of the City Council of the City of Lodi approving the Maggio Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Fire District.

PLANNING
COMMISSION
REPORT

CC-35

City Manager Peterson presented the following Planning Commission Report of the Planning Commission Meeting of February 23, 1987:

The Planning Commission -

ITEMS OF INTEREST

- A) Conditionally approved the request of Terry Piazza, c/o Baumbach and Piazza, Consulting Engineers, on behalf of Herb Preszler for a Tentative Parcel Map to join 115, 119 and 121 East Oak Street (i.e. APN 043-072-05,06 and 07) in an area zoned M-1, Light Industrial.
- B) Elected Roger Stafford Vice Chairman to complete the term of Joanne Hoffman who asked to be relieved of the position.
- C) Recommended that the County Planning Division approve the request of Bruce Towne on behalf of Johnnie Khan, President of the Islamic Cemetery Association, for a 5,000 grave cemetery to be located between Beckman Road and State Route 99, approximately 2,640 feet south of Kettleman Lane in an area zoned GA-40, General Agriculture. In its recommendation, the Planning Commission noted a concern about the long-term maintenance of the cemetery.

COUNCIL OPPOSES
STATE STATUTE THAT
ALLOWS RELIGIOUS
ORGANIZATIONS OWNING
CEMETERIES NOT TO BE
RESPONSIBLE FOR THEIR
LONG-TERM
MAINTENANCE

CC-6
CC-27(a)
CC-28
CC-53(a)

Following discussion regarding this matter, Council, on motion of Council Member Pinkerton, Snider second, indicated its desire to go on record opposing the state statute that allows religious organizations owning cemeteries not to be responsible for their long-term maintenance. Further, Council directed that a letter regarding this action be forwarded to the San Joaquin County Planning Commission.

COMMUNICATIONS
(CITY CLERK)

CLAIMS

CC-4(c)

On motion of Council Member Hinchman, Olson second, Council rejected the following claims and referred them back to L. J. Russo Insurance Services, Inc., the City's Contract Administrator:

- A) Hiroshi Fujikawa, Date of Loss 5/21/86

Continued March 4, 1987

B) Kay C. Bell, Date of Loss 1/4/87

PLANNING COMMISSIONER
JOANNE M. HOFFMAN
RESIGNS FROM PLANNING
COMMISSION

CC-2(q)

Following receipt of the resignation of Planning Commissioner Joanne Hoffman, Council extended its sincere appreciation to Mrs. Hoffman for her time and effort in serving on this most important Commission. On motion of Council Member Hinchman, Pinkerton second, Council directed the City Clerk to make the required posting for this vacancy.

COMMENTS BY CITY
COUNCIL MEMBERS

COMPLAINT REGARDING
RECEPTION ON LOCAL
CABLE CHANNEL 2

CC-22(c)

Council Member Hinchman voiced a complaint regarding the poor reception on local cable television channel 2.

INQUIRY MADE BY
COUNCIL MEMBER
HINCHMAN REGARDING
LOCAL TELEPHONE
NUMBER OF SAN
JOAQUIN COUNTY
SHERIFF'S OFFICE

CC-6
CC-24 - c

Council Member Hinchman indicated that he feels the San Joaquin County Sheriff's Office should have a Lodi telephone number.

COUNCIL MEMBER
HINCHMAN INDICATES
HIS CONCERN
REGARDING LONG
RANGE PLANNING
AND DEVELOPMENT
IN OUR AREA

CC-6
CC-35
CC-53(a)

Council Member Hinchman indicated his concern regarding the long range planning and development of our area and the need for local agencies to work together regarding this important issue. It was suggested that this would be an excellent topic of discussion for a future Cities and County of San Joaquin Association meeting.

REPORT GIVEN ON
GENERAL PLAN
UPDATE

CC-35
CC-53(a)

Community Development Director Schroeder gave a report on the progress of the General Plan Update.

COUNCIL MEMBER
PINKERTON VOICES
CONCERN REGARDING
CITY'S COLLECTION
OF SCHOOL
IMPACTION FEE

CC-43

Council Member Pinkerton reported on the Lodi Unified School District Governing Board meeting in which the City's collection of the school impaction fees were discussed. Council Member Pinkerton asked about the amount of additional personnel that would be required by the school district if it were to administer the collection of these fees. Council Member Pinkerton then requested that this subject be placed on the Council agenda for the meeting of March 18, 1987. Additional discussion followed with no formal action being taken by the Council on the matter.

Continued March 4, 1987

REPORT ON
NATIONAL LEAGUE
OF CITIES ANNUAL
CONGRESSIONAL CITY
CONFERENCE IN
WASHINGTON, D.C.

CC-6
CC-7(g)

Mayor Pro Tempore Olson and Council Member Pinkerton reported on the National League of Cities Annual Congressional City Conference they recently attended in Washington, D. C.

COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons wishing to speak under this segment of the agenda.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

REQUEST FROM LODI
GROWER VINTNER
ALLIANCE FOR
PROMOTIONAL FUNDS

CC-6
CC-38
CC-39

At the City Council's "Shirtsleeve" meeting of February 24, 1987, the Council heard a presentation by representatives of the Lodi Grower Vintner Alliance requesting funding in the amount of \$8,000 to assist in promotional efforts. Included in the program is a proposal to re-do the billboards promoting Lodi which are located north and south of the City on the U.S. 99 freeway.

Mr. Stephen Manildi, Co-chairman of the Lodi Grower Vintner Alliance, addressed the Council speaking on behalf of their request. Mr. Manildi advised the Council that in addition to the refurbishing of the billboards the requested funds would be used for the following promotional programs:

- A) Reprinting of brochures
- B) Rack Service to distribute brochures
- C) Lodi Spring Wine Show promotion
- D) Press kit/direct mail
- E) Grape Festival booth

A lengthy discussion followed with questions being directed to Mr. Manildi and to staff.

On motion of Council Member Pinkerton, Hinchman second, Council approved the new design presented by the Lodi Grower Vintner Alliance for the billboards located at the Cherokee Lane entrances to the City of Lodi.

On motion of Council Member Snider, Hinchman second, Council approved an appropriation of \$8,000 from the Hotel Motel Tax Fund to the Lodi Grower Vintner Alliance for community promotion.

RECESS

Mayor Pro Tempore Olson declared a five-minute recess and the meeting reconvened at 9:05 p.m.

RENTAL REHABILITA-
TION PROGRAM

CC-6
CC-25
CC-57(a)

Council was apprised that San Joaquin County has received a \$55,400 allocation from the Department of Housing and Urban Development (HUD) to assist owners of rental properties to make needed repairs to their units.

Continued March 4, 1987

If the City Council so authorizes, a portion of the allocation will be used to assist the owners of rental units on the City's east side. These funds are in addition to the City's Community Development Block Grant monies.

Don Luxemberg, the County's Program Manager, and Rick Barnum, City of Lodi Associate Planner, have developed possible operating procedures which were presented for Council's perusal.

Following discussion, on motion of Council Member Hinchman, Olson second, Council authorized San Joaquin County to undertake a Rental Rehabilitation Program within the City limits.

PETITION RECEIVED
REQUESTING CITY
SUPPORT OF HUMANE
OFFICER ENFORCEMENT
PROGRAM

CC-6

City Manager Peterson advised the Council that a petition bearing 24 signatures had been received requesting financial assistance for efforts in the area of prevention of cruelty to animals by appropriating \$500.00 per month to the City's animal control program. The request is based on State Civil Code Section 607e, which provides that a governmental agency may pay to any society incorporated and organized for the prevention of cruelty to animals within the boundaries of that public agency, a sum not exceeding \$500 per month for the purpose of carrying out such activities.

The title of this code section is "Compensation of Societies for Prevention of Cruelty". This section should most appropriately be interpreted to apply to organizations such as the Delta-Stockton Humane Society and S.P.C.A. (Society for the Prevention of Cruelty to Animals). Last summer the City received an invoice from this organization and a letter requesting financial support in accordance with the code section cited herein. The City's Animal Control Officer interprets this code section to apply to public agencies where there exists no public animal control program. In these locations, the animal control program may be performed by a private society and this code section permits a public agency to compensate the society for such services.

Mr. Roy Ficken and Mr. Craig Veteran of the Delta-Stockton Humane Society addressed the Council on behalf of the request and responded to questions as were posed by the Council.

Police Chief Floyd Williams and City of Lodi Animal Control Officer Earl Monroe also addressed the Council regarding animal control services in the City and responded to questions as were posed by the Council.

On motion of Council Member Snider, Hinchman second, Council determined not to take action on the request to support the Humane Officer Enforcement Program by contributing the \$500.00 per month as allowed by the State of California Civil Code Section 607e; however, in the future if the City finds it necessary to use this agency's services, they are to be compensated for that service.

CATV SALES
CHANNELS

CC-22(c)

City Attorney Stein reported that, per Council's direction, he had reviewed the agreement between the City of Lodi and King Videocable and finds nothing in the agreement which would permit the City to regulate the cable company's

Continued March 4, 1987

showing of home shopping club type programs. The agreement and the City's Request For Proposals required the cable television firm to have certain broad categories of programming; however, there is nothing therein that prohibits their showing on a particular channel, a particular type of program. Mr. Stein further stated that the cable companies have protection via the first amendment of our Constitution, and it is therefore very difficult to regulate the type of programming that they may show on cable television.

No formal action was taken by the Council following discussion on the matter.

AWARD - CONTRACT
FOR BLAKELY PARK
SWIMMING POOL

RES. NO. 87-29

CC-12(c)

Following introduction of the matter by City Manager Peterson, Public Works Director Ronsko presented the following bids which had been received for the contract for Blakely Park Swimming Pool: Council was advised that this project includes the construction of a new pool at Blakely Park meeting minimum standards for competitive use and rehabilitation of the old pool.

The bid alternates are described below:

<u>Description</u>	<u>Comments</u>
Alt. 1 - Add for sign, block wall, column/flagpole & steel pipe	Not recommended - These are architectural embellishments and, given the cost and overrun situation, they are not recommended. In addition, the Parks and Recreation Department is planning a standardized park-signing program which will include Blakely Park and the pool.
Alt. 2 - Add for roof addition	Not recommended - This alternate includes extension of the roof to provide a uniform appearance across the front of the building. Note that these sections of roof do not cover any of the interior of the building. It does improve security but the remainder of the perimeter and most of the building are the same height. Also, the large shrubs in front of the

Continued March 4, 1987

building are being removed. Previously, persons could climb the shrubs and get over the wall. The added overhang roof sections would have made that more difficult.

Alt. 3 - Add for chemical controllers Recommended -
Chemical controllers are devices that automatically regulate chlorine and pH. They will reduce chemical costs and prevent accidental over or under chlorination. We have had good reports on these devices from other agencies.

Alts. 4 & 5 - Add for fiberglass in lieu of plaster Not recommended -
Installing fiberglass in lieu of plaster will (if installed properly) reduce maintenance, primarily by reducing algae build-up. However, given the cost and budget situation and use of the chemical controllers, staff feels the expense is not justified.

The overrun amount (\$46,000) is composed of the following:

<u>Item</u>	<u>Amount</u>	<u>Explanation</u>
Contract w/Alt. 3	\$302,966	
City Engineering	\$ 2,000	This is City engineering time including the amount spent in this fiscal year plus an estimated amount to complete the project. This cost is grant eligible. Inspection and administration will be done by personnel already funded by the Community Development Block Grant.
City-furnished equipment	\$16,000	In order to

Continued March 4, 1987

eliminate contractor's markup on equipment that requires little or no installation (i.e., pool cover, handicap lift, pool, vacuum, starting blocks, etc.), the specifications provided for the City to furnish some equipment.

Contingencies	approx. \$ 30,000	The plans have been disapproved by the Local Health District and must be checked by the City Building Department. Some changes to satisfy Health Department requirements must be made which will increase the total cost. The contingency amount should cover these changes and any unforeseen problems that may occur during construction.
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TOTAL	\$351,000
APPROPRIATION	305,000
OVERRUN	\$ 46,000

BLAKELY PARK SWIMMING POOL BIDS

(Received February 18, 1987)

<u>BIDDER</u>	<u>LOCATION</u>	<u>BASE BID</u>	<u>ALTERNATES</u>
Engineer's Estimate		\$305,000	
Thorcon, Inc.	Citrus Heights	299,646	1) \$ 5,150 2) 3,855 3) 3,320 4) 6,400 5) 12,600
Ted Molfino	Lodi	310,729	1) \$ 7,951 2) 1,967 3) 4,773 4) 3,463 5) 10,911
Martin Co.	Clayton	314,655	1) \$ 7,800 2) 3,500 3) 5,800 4) 600 5) 10,500

Continued March 4, 1987

Council was apprised that Block Grant funds for the overrun will be transferred from the Lodi Lake Beach Restroom project. This project will not be ready for construction this fiscal year. Additional funds can be appropriated from next year's Community Development Block Grant allocation to accomplish the restroom project.

Following discussion with questions being directed to Staff, Council, on motion of Council Member Pinkerton, Snider second, awarded the contract for the pool and Alternate 3 for Blakely Park Swimming Pool to Thorcon, Inc., in the amount of \$302,966 and appropriated an additional \$46,000 from the Community Development Block Grant Fund and \$4,000 from the General Fund for the non-grant eligible design work.

PUBLIC HEARING
SET TO CONSIDER
ADOPTION OF
RESOLUTION OF
NECESSITY FOR THE
ACQUISITION OF A
WATER WELL SITE BY
EMINENT DOMAIN
PROCEDURES

CC-5(c)
CC-6
CC-27(a)

Council was informed that the City's right-of-way negotiator, Jerry Heminger, first contacted the owners of the well site for Well 10R in February of 1986. Through numerous contacts, permission to drill for a test well was granted in August of 1986. The test well bore out the fact that there is sufficient water for installation of a well, and lab testing confirmed that the water would meet public health standards for drinking water.

Since confirmation and approval of the site and layout by the California State Department of Public Health, the City has been back negotiating with the owners, and at this time we have neither agreement nor deed. If we are to get any use this year of the water from this well, it is imperative that the City proceed as rapidly as possible with drilling. At the present time, the City has no producing wells east of Cherokee Lane and, as a result, water pressure and fire protection in our industrial area are limited.

Once the Council has set a date for the hearing, the owner will be officially notified of the hearing so that he can respond.

On motion of Council Member Hinchman, Olson second, Council set a hearing for April 1, 1987 to consider adoption of Resolution of Necessity for the acquisition of a water well site (well site 10R) by eminent domain procedures.

ADJOURNMENT

There being no further business to come before the Council, Mayor Pro Tempore Olson adjourned the meeting at approximately 10:05 p.m.

ATTEST:

Alice M. Reimche
Alice M. Reimche
City Clerk